

RESPONSE

Applicant has carefully reviewed and considered the Office Action mailed on February 28, 2007.

Claims 1-3, 5-10, 12-15, 18-22, 24-27, and 30-41 are pending in the application. Claims 34-41 are withdrawn from consideration. Claims 1-3, 5-10, 12-15, 18-22, 24-27, and 30-33 are rejected by examiner.

Claims 1, 3, 10, 13, 14, 15, 22, 25, 26, 27 are amended.

§ 112 Rejection of the Claims

Claims 1-3, 5-10, 12-15, 18-22, 24-27, and 30-33 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-3 and 5-9 are rejected as indefinite as set forth in paragraph numbered 6 of the detailed action. In response, claim 1 is amended such that the rejection is moot. Support for the amendment is found, among other places, at page 19, lines 9-23.

Claims 3, 13, 15, 25 and 27 are rejected as indefinite because of the use of the term “homolog” as set forth in paragraph numbered 7 of the detailed action. In response, each of the claims is amended such that the rejection is moot. Support for the amendment is found, among other places, at page 19, lines 9-23.

Claims 14 and 16 are rejected as indefinite as set forth in paragraph numbered 8 of the detailed action. In response, both of the claims are amended such that the rejection is moot. Support for the amendment is found, among other places, at page 19, lines 9-23.

Claims 10, 12-15, 18-22, 24-27 and 30-33 are rejected as indefinite as set forth in paragraph numbered 9 of the detailed action. In response, claims 10 and 22 (the two independent claims) are amended such that the rejection is moot. Support for the amendment is found, among other places, at page 20, lines 17-24 and page 23, lines 5-15.

Claim Rejections-Obviousness Type Double Patenting

Claims 1-3, 5-10, 12-15, 18-22, 24-27, and 30-33 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over

claims 1-3, 5-21, 23, 24, 26-40, 42-56 and 58-76 of co-pending application No. 10/464,117 (based on the amended claims filed September 20, 2006). A terminal disclaimer is filed herewith.

Petition for Extension of Time

A petition for a three month extension, through August 28, 2007, and the required fee, is submitted herewith. Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 50-3582.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (609 495 9197) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3582.

Respectfully submitted,

/Stephen A. Slusher/

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